

**SELBY DISTRICT COUNCIL
MINUTES**

Minutes of the MEETING OF COUNCIL held on Tuesday 13 December 2011, in The Council Chamber, Civic Centre, Doncaster Road, Selby, commencing at 6:00 pm.

46	Apologies for Absence
47	Disclosures of Interest
48	Minutes
49	Communications
50	Announcements
51	Public Questions
52	Councillors' Questions
53	Reports from the Executive
54	Reports from Committees
55	The Financial Strategy
56	Selby District Council Core Strategy
57	Review of the Constitution
58	Urgent Action
59	Sealing of Documents

Present: Councillor Mrs K McSherry in the Chair

Councillors: Mrs E Casling, J Cattanach, I Chilvers, M Crane, J Crawford, Mrs D Davies, Mrs M Davis, J Deans, Mrs S Duckett, M Dyson, K Ellis, M Hobson, W Inness, Mrs G Ivey, M Jordan, C Lunn, D Mackay, Mrs P Mackay, Mrs C Mackman, J Mackman, B Marshall, J McCartney, Mrs M McCartney, R Musgrave, Mrs W Nichols, I Nutt, R Packham, C Pearson, D Peart, A Pound, R Price, I Reynolds, Mrs S Ryder, Mrs A Spetch, R Sweeting and J Thurlow

Officials: Chief Executive, Deputy Chief Executive, Director S151, Managing Director of Access Selby, Director of Business Services, Solicitor to the Council, Business Manager (ES), Policy Officer and Democratic Services Manager.

In attendance: Reverend Francis Loftus offered opening prayers.

Public: 6

Press: 1

46. **Apologies for Absence**

Apologies for absence were received from Councillors C Metcalfe, Mrs E Metcalfe, R Sayner and S Shaw-Wright.

47. **Disclosures of Interest**

None.

48. **Minutes**

The minutes of the meeting of the Council held on 13 September 2011 were confirmed as a correct record.

Resolved:

To approve the minutes for signing by the Chairman.

49. **Communications**

None.

50. **Announcements**

The Chairman wished all those present a Merry Christmas and Happy New Year and invited all to a drinks reception following the meeting.

51. **Public Questions**

None.

52. **Councillors' Questions**

Councillor D Mackay had submitted a written question to the Leader of the Council regarding the Tadcaster Central Area Car Park. Councillor Mackay outlined that the Council had obtained planning permission to resurface the Car Park in the spring however little progress had since been made with any works.

The Leader of the Council stated that, following the granting of planning permission, the Council had received an application to apply for permission to bring a Judicial Review of the decision. In September 2011 the High Court rejected all 13 of the grounds put forward as to why the planning decision was flawed and refused permission for the Judicial Review; effectively confirming that the decision taken by the Planning Committee was correct.

An appeal was lodged against this finding and the case has been listed for a hearing in January. The Leader of the Council felt it was vital that the plans for the Car Park were delivered to support local business and residents.

In response to a supplementary question from Councillor Mackay, the Leader of the Council confirmed that the lights in the Tadcaster Central Area Car Park would be fixed in the near future.

53. Reports from the Executive

The Leader of the Council had submitted a report on items considered by the Executive since the last meeting of Council. He informed the Council that he had met with developers for both the Olympia Park Site and the Rigid Paper Site in Selby to look at improving the local area and bringing employment and housing to the district. He had also attended a meeting in Whitley to explain the current situation regarding gypsy and traveller site allocations. In response to a question, he provided an update on the latest position in respect of the Council's search for an appropriate Gypsy and Traveller Site as part of the SADPD.

Councillor Mrs G Ivey, Deputy Leader of the Council and Lead Executive Member for External Relations and Partnerships had submitted a report updating Council on her work since the last meeting of Council.

Councillor C Lunn, Lead Executive Member for Finance, reported on the work he had undertaken since the last meeting of Council. He provided details of his work with the Section 151 Officer to formulate a robust approach to financial planning.

Councillor J Mackman, Lead Member for Place Shaping, reported that in respect of the SADPD the ten week consultation on the preferred options had closed in early December 2011. There would be an analysis of the feedback submitted to the Executive meeting in February 2012. Councillor Mackman also provided an update on potential changes to government policy which could affect the delivery of the Core Strategy.

In the absence of Councillor C Metcalfe, the Leader of the Council responded to questions raised on issues within the Communities portfolio. In response to a question regarding Car Park charges, the Council heard that such charges in Selby remained amongst the lowest in North Yorkshire. Officers undertook to examine an issue raised by Councillor Sweeting in respect of the Car Park at Tadcaster.

The Council then discussed the issue of refuse collection. Councillor Mrs G Ivey clarified issues regarding the most effective way of reporting of missed collections.

Resolved:

To note the reports from the Executive.

54. Reports from Committees

The Chair of Policy Review Committee, Councillor M Jordan, reported on work undertaken since the last Council meeting. This included formulating the Council's response to the Boundary Commission for England's proposals for changes in parliamentary constituencies and work on the Core Strategy.

Councillor Wendy Nicholls, the Chair of Scrutiny Committee, outlined the recent work of the committee. This included scrutiny of the Council's performance reports and Crime and Disorder issues.

The Chair of Audit Committee, Councillor Mrs E Casling, highlighted that the Committee had approved the Council's Statement of Accounts and received the Annual Governance Report. In response to an issue raised, Councillor Mrs E Casling requested that the Audit Report on Recycling and Waste Management be added to the Committee's next agenda.

Resolved:

To note the reports from the Chairs of the Overview and Scrutiny Committees.

55. The Medium Term Financial Strategy

Councillor C Lunn presented a report to the Council that detailed the Executive's proposals for the Draft Medium Term Financial Strategy which would support the Council's objectives and priorities over the next four years. He highlighted the potential for a Council Tax freeze and the Government grant which would be available to partly offset the resulting shortfall in funding. Councillor Lunn explained that it was likely that the grant would only be available for one year and if the Government's offer was taken up further savings would be needed to the Council base budget.

Councillor C Lunn responded to a number of questions in respect of the New Homes Bonus, the development of an economic strategy and the inflation rate used in the report.

Councillor Inness reminded Council of the success of Access Selby working with a reduced budget and achieving excellent results.

Resolved:

To approve the Medium Term Financial Strategy

56. Selby District Council Core Strategy

The Chief Executive reported on a fax received from the solicitors acting on behalf of Samuel Smiths Old Brewery (Tadcaster) in relation to the Core Strategy. The fax had been received immediately prior to the meeting and offered an alternative legal interpretation to the Council's. The document also questioned the involvement of Councillor C Metcalfe in the Core Strategy decision making process. The Chief Executive reminded Council that Councillor C Metcalfe had given apologies for this meeting.

Councillor Mackman presented the report which summarised the journey of the Core Strategy from the Examination in Public (EIP) in September 2011, through Executive Meetings and Policy Review Committee. Supplementary information was circulated which gave an update on ongoing work and requested that the following be inserted into the Green Belt Policy:

- F. Any sites considered for removal from the Green Belt under Criterion D4 (above) will be subject to a sustainability appraisal and assessed for their impact upon the following issues (non-exhaustive):
- any other relevant policy/strategy; and
 - flood risk; and
 - nature conservation; and
 - impact upon heritage assets; and
 - impact upon landscape character; and
 - appropriate access to services and facilities; and
 - appropriate access to public transport.

The Council approved this amendment.

A Councillor highlighted table two in the report. The table demonstrated the phasing of dwelling growth over the plan period. There was a clerical error in the line relating to the years 2018 – 2022, the number of dwellings over this period should read 2300 and not 4800 as printed.

Councillors R Packham and M Jordan raised concerns over the revised allocation in Sherburn, the position of the SADPD in light of the changes to the Core Strategy and the decision to release all Phase Two Sites. Councillor J Mackman acknowledged the concerns and outlined that it was very difficult to anticipate the circumstances that had arisen following the Council's release of the Phase Two Sites.

The release of the Phase Two Sites was necessitated by the need to maintain a five year land supply. He added that it would be unlikely that the SADPD would be finalised prior to the Council adopting the Core Strategy.

Resolved:

- i) To receive and note the report;**
- ii) To note the correction to the clerical error in table 2;**
- iii) To approve the figure of an average of 450 dwellings per annum as the sustainable level of housing growth over the plan period;**
- iv) To approve the phasing of housing growth as:**
 - 6 years at 400 dwellings per annum**
 - 5 years at 460 dwellings per annum**
 - 5 years at 500 dwellings per annum**
- v) To approve Plan A as the preferred option in respect of the shortfall of housing in Tadcaster;**
- vi) To approve the revised Policy CP2 and CP3 and the new Policy CPXX (Green Belt) as amended;**
- vii) To approve Part E be added to the revised CP3**
- viii) To authorise the Managing Director Access Selby, in consultation with the Lead Executive Councillor for Place Shaping, to agree any minor or consequential amendments to the Core Strategy in relation to overall housing numbers, deliverability of development in Tadcaster and Green Belt Policy;**
- ix) To approve the consultation arrangements, publication and submission of the Proposed Changes to the Secretary of State;**
- x) To authorise officers to arrange a reconvened EIP session in the Spring of 2012.**

57. Review of the Constitution

The Leader of the Council presented a report which reviewed the Constitution and detailed proposed minor amendments to improve its operation.

The Leader highlighted that due to the varying levels of development in the Council's Community Engagement Forums it would not be appropriate to support the amendments proposed at paragraph 2.3.1 (Amend Article 10.2 and CEF Procedure Rule 1.6) and 2.3.2 (Amend Article 10.3 to add a new Role and Function at (g) and to repeat the provision in Part 3 (Responsibility for Functions) and Part 4 CEF Procedure Rule 1.1).

Resolved:

- i) To note the report**
- ii) With the exception of those at 2.3.1 and 2.3.2, to approve the constitutional amendments in the report;**
- iii) To approve the amendments to come into effect from 1 January 2012.**

58. Urgent Action

The Chief Executive reported that, in his absence, the Deputy Chief Executive had used his emergency powers to authorise a request to suspend the Examination In Public on the Core Strategy.

Resolved:

To approve the action taken by the Deputy Chief Executive.

59. Sealing of Documents

To authorise the sealing of any documents necessary to action decisions of this Council Meeting, or any of its Committees and Boards for which delegated authority is not already in existence.

Resolved:

To grant authority for the signing of, or the Common Seal of the Council being affixed to, any documents necessary to give effect to any resolutions hereby approved.

The meeting finished at 7.40pm.